



TRANSMITTAL LETTER FOR PRELIMINARY AMENDMENT

ocket No.: **1842-0039**

In re patent application of: **Hochschuler et al.**

Serial No.: **10/804,761**

Filing Date: **March 19, 2004**

Examiner: **To be assigned**

Group Art Unit: **3738**

For: **Method and Apparatus for Treating A Vertebral Body**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 16, 2004

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Michael D. Beck

Name of person mailing Document or Fee

Signature of person mailing Document or Fee

July 16, 2004

Date of Signature

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is a Preliminary Amendment in the above-identified patent application

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest No. Paid For	Fee Calculation	Addit Fee
Total Claims	43	13	30 X 9	\$ 270.00
Independent Claims	7	3	4 X 43	\$ 172.00
Total Additional Fee Required				\$ 442.00

- * Please charge the fee of \$442.00 for the additional claims and provide any extensions of time which may be necessary to Deposit Account No. 13-0014, but not to include any payment of issue fees.

Respectfully submitted,

MAGINOT, MOORE & BECK

A handwritten signature in black ink, reading "Michael D. Beck". The signature is written in a cursive style with a large, looping "M" and a distinct "D" and "Beck".

Michael D. Beck
Attorney for Applicants
Registration No. 32,722

July 16, 2004
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hochschuler et al.)
Application No.: 10/804,761) Examiner: Not yet assigned
Filed: March 19, 2004) Art Unit: 3738
METHOD AND APPARATUS FOR)
TREATING A VERTEBRAL BODY) July 16, 2004.

SECOND PRELIMINARY AMENDMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination of the above-identified application, Applicants respectfully request that the following amendment to the claims be entered. No Office Action has been received in this case. This Preliminary Amendment adds thirty (30) new claims, with four (4) new independent claims. The Commissioner is requested to charge the fees under 37 C.F.R. 1.16(b),(c) in the amount of \$442.00 (four hundred and forty two dollars) to Deposit Account 13-0014. This fee includes the fee of \$172.00 (4 x \$43.00) for the four additional independent claims and the fee of \$270.00 (30 x \$9.00) for the thirty additional claims. The Commissioner is authorized to credit any overpayment or deduct any additional amounts from Deposit Account 13-0014.

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Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on July 16, 2004.

Michael D. Beck

Name of person mailing Document or Fee

Michael D. Beck

Signature

JULY 16, 2004

Date of Signature

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01 FC:2201 172.00 DA
02 FC:2202 270.00 DA